

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:17-cv-00630-JSR-SDA**

Henareh v. The United States et al
Assigned to: Judge Jed S. Rakoff
Referred to: Magistrate Judge Stewart D. Aaron
Related Case: 1:14-cv-07145-JSR-SDA
Cause: 05:552 Freedom of Information Act

Date Filed: 01/26/2017
Date Terminated: 01/28/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff

Siavosh Henareh

represented by **Bernard Alan Seidler**
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ATTORNEY TO BE NOTICED

V.

Defendant

The United States

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Defendant

**Executive Office United States
Attorneys**

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Defendant

The Drug Administration Agency

represented by **Lauren Almquist Lively**
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Peter Max Aronoff

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

The Federal Bureau of Prisons

represented by **Lauren Almquist Lively**

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Peter Max Aronoff

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/26/2017	<u>1</u>	COMPLAINT against Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States. Document filed by Siavosh Henareh. (Attachments: # <u>1</u> Main Document)(sac) Modified on 3/15/2017 (sac). (Entered: 01/27/2017)
01/26/2017		Case Designated ECF. (sac) (Entered: 01/27/2017)
01/30/2017	<u>2</u>	ORDER DIRECTING PAYMENT OF FEE OR IFP APPLICATION & PRISONER AUTHORIZATION: Plaintiff is directed to render payment of the filing fee or submit an IFP application & Prisoner Authorization to this Court's <i>Pro Se</i> Office within thirty (30) days of the date of this Order. The Clerk of Court is directed to assign this matter to my docket. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore <i>in forma pauperis</i> status is denied for the purpose of an appeal. See <u>Coppedge v. United States</u> , 369 U.S. 438, 444–45 (1962). Filing Fee due by 3/1/2017. In Forma Pauperis (IFP) Application due by 3/1/2017. Prisoner Authorization Form due by 3/1/2017. (Signed by Judge Colleen McMahon on 01/30/2017) (Attachments: # <u>1</u> Supplement ifp, # <u>2</u> Supplement plra)(bl) (Entered: 01/30/2017)
01/30/2017		Transmission to Docket Assistant Clerk. Transmitted re: <u>2</u> Order Directing Payment of Fee or IFP Application & Prisoner Authorization,,, to the Docket Assistant Clerk for case processing. (bl) (Entered: 01/30/2017)
01/30/2017		NOTICE OF CASE REASSIGNMENT – SUA SPONTE to Judge Colleen McMahon. Judge Unassigned is no longer assigned to the case. (wb) (Entered: 01/30/2017)
01/30/2017		Mailed a copy of <u>2</u> Order Directing Payment of Fee or IFP Application & Prisoner Authorization,,, to Siavosh Henareh No. 65976–054 United States Penitentiary 3901 Klein Blvd. Lompoc, CA 93436.(rro) (Entered: 01/30/2017)
02/10/2017	<u>3</u>	APPLICATION TO PROCEED WITHOUT PREPAYING FEES OR COSTS. Document filed by Siavosh Henareh.(sc) (Entered: 02/14/2017)
02/10/2017	<u>4</u>	PRISONER AUTHORIZATION. Document filed by Siavosh Henareh.(sc) (Entered: 02/14/2017)
02/10/2017	<u>5</u>	LETTER from S. Henreh dated 2/6/17 re: Petitioner requests that the Court take Judicial Notice that he requests that the attorney, Alan Seidler(580 Broadway, Room 709, New York, New York 10012), be appointed to represent him in this case. Document filed by Siavosh Henareh.(sc) (Entered: 02/14/2017)
03/03/2017		CASE ACCEPTED AS RELATED. Create association to 1:14–cv–07145–JSR–RLE. Notice of Assignment to follow. (wb) (Entered: 03/03/2017)
03/03/2017		NOTICE OF CASE REASSIGNMENT to Judge Jed S. Rakoff. Judge Colleen McMahon is no longer assigned to the case. (wb) (Entered: 03/03/2017)

03/03/2017		Magistrate Judge Ronald L. Ellis is so designated. (wb) (Entered: 03/03/2017)
03/03/2017	<u>6</u>	ORDER GRANTING IFP APPLICATION IN PRISONER CASE: Plaintiff's application for leave to proceed without prepayment of fees is granted. A prisoner bringing a civil action is required to pay the full \$350 filing fee even when proceeding <i>in forma pauperis</i> (IFP), that is, without prepayment of fees.... The Court must collect, when funds exist in a prisoner's account, an initial partial filing fee plus monthly payments. The Clerk of Court is directed to send a copy of this order and the prisoner authorization to the agency having custody of Plaintiff. That agency is directed to forward copies of Plaintiff's prison trust fund account for the past six months and to disburse the payments required under 28 U.S.C. § 1915 to the United States District Court for the Southern District of New York and to include the above docket number on the disbursement before sending it to the Court. If Plaintiff is transferred to another facility, the current facility shall provide a copy of this order to the facility to which Plaintiff is transferred. The Clerk of Court is also directed to send a copy of this order to Plaintiff and note service on the docket. Finally, it is Plaintiff's obligation to promptly submit a written notification to the Court if Plaintiff's address changes, and the Court may dismiss the action if Plaintiff fails to do so. (Signed by Judge Colleen McMahon on 3/3/2017) (sac) (Entered: 03/03/2017)
03/03/2017		Mailed a copy of <u>6</u> Order Granting IFP Application in Prisoner Case to Siavosh Henareh, No. 65976-054, United States Penitentiary, 3901 Klein Blvd.Lompoc, CA 93436; and Superintendent, United States Penitentiary, 3901 Klein Blvd, Lompoc, CA 93436. (rro) (Entered: 03/03/2017)
03/06/2017	<u>7</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge Ronald L. Ellis. (Signed by Judge Jed S. Rakoff on 3/2/2017) (mro) (Entered: 03/06/2017)
03/13/2017	<u>9</u>	ORDER OF SERVICE: The Clerk of Court is directed to mail a copy of this order to Plaintiff, together with an information package. The Clerk of Court is further instructed to complete the USM-285 forms with the addresses for the United States, the Drug Enforcement Administration, the Executive Office of the United States Attorney, and the Federal Bureau of Prisons, and deliver all documents necessary to effect service to the U.S. Marshals Service. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). (Signed by Magistrate Judge Ronald L. Ellis on 3/13/2017) (cla) (Entered: 03/15/2017)
03/17/2017		SUMMONS ISSUED as to All Defendants. (sbr) (Entered: 03/17/2017)
03/17/2017		FRCP 4 Service Package Hand Delivered to U.S.M.: Package hand delivered to U.S.M. on 03/17/2017 per the instructions of Judge Jed S. Rakoff. See <u>9</u> Order of Service. (sbr) (Entered: 03/17/2017)
03/17/2017		FRCP 4 (Information Package Mailed) to plaintiff at the address noted on the complaint/court's docket on 3/17/2017 via Regular Mail. The information package included: a copy of the Order of Service, Judge's individual rules, Instructions for Litigants Who Do Not Have Attorneys, Notice Regarding Privacy and Public Access to Electronic Case files, A Motions Guide, A Notice that the Pro Se Manual has been discontinued, a Notice of Change of Address to use if your contact information changes, a consent to proceed before a Magistrate Judge. (sbr) (Entered: 03/17/2017)
04/17/2017	<u>10</u>	NOTICE OF APPEARANCE by Lauren Almquist Lively on behalf of The Drug Administration Agency, The United States. (Lively, Lauren) (Entered: 04/17/2017)
04/24/2017	<u>11</u>	NOTICE OF APPEARANCE by Lauren Almquist Lively on behalf of Executive Office United States Attorneys, The Federal Bureau of Prisons. (Lively, Lauren) (Entered: 04/24/2017)
04/24/2017	<u>12</u>	ANSWER to <u>1</u> Complaint. Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons.(Lively, Lauren) (Entered: 04/24/2017)

04/24/2017	<u>13</u>	CERTIFICATE OF SERVICE of Answer served on Siavosh Henareh on April 24, 2017. Service was made by Mail. Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons. (Lively, Lauren) (Entered: 04/24/2017)
05/02/2017	<u>14</u>	LETTER from Henareh Siavosh, dated 4/27/17 re: Plaintiff requests that the Court not take any money from Henareh Siavosh's account for motion, because Attorney Alan Seidler will pay for this case; and that the Court Clerks Office should send any documents about this case to Mr. Alan Seidler at email: SEIDLERLAW@GMAIL.COM. Document filed by Siavosh Henareh.(sc) (Entered: 05/10/2017)
05/12/2017		Pro Se Payment of Fee Processed: \$400.00 Check processed by the Finance Department on 5/12/2017, Receipt Number 465401181582. (aa) (Entered: 05/17/2017)
06/08/2017	<u>15</u>	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint served. The Federal Bureau of Prisons served on 3/24/2017, answer due 4/14/2017. Service was accepted by Lisa Ahearn. Document filed by Siavosh Henareh. (rro) (Entered: 06/12/2017)
06/08/2017	<u>16</u>	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint served on US Dept. of Justice on 03/24/2017. Service was accepted by Lisa Ahearn. Document filed by Siavosh Henareh. (rro) (Entered: 06/12/2017)
06/08/2017	<u>17</u>	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint served. Executive Office United States Attorneys served on 3/24/2017, answer due 4/14/2017. Service was accepted by Lisa Ahearn. Document filed by Siavosh Henareh. (rro) (Entered: 06/12/2017)
06/08/2017	<u>18</u>	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint served. The Drug Administration Agency served on 3/24/2017, answer due 4/14/2017. Service was accepted by Lisa Ahearn. Document filed by Siavosh Henareh. (rro) (Entered: 06/12/2017)
06/12/2017		Pro Se Payment of Fee Processed: \$20.00 Check processed by the Finance Department on 6/12/2017, Receipt Number 465401183673. (aa) (Entered: 06/19/2017)
07/11/2017	<u>19</u>	LETTER from Siavosh Henareh, dated 7/6/17 re: Petitioner informs the Court that he never received a receipt that the Court received his \$400.00 filing payment; and he requests that the Court send him a receipt that the \$350.00 was received in order to commence the instant action, and to send the \$121.51 back to his prisoner trust fund account etc. Document filed by Siavosh Henareh.(sc) (Entered: 07/11/2017)
07/11/2017		Request for Copy of the updated Docket Sheet Received: Re <u>19</u> Letter. Request for Docket Report, from S. Henareh received on 7/11/17. Transmission to Pro Se Assistants for processing. (sc) (Entered: 07/11/2017)
07/11/2017		Form Request Mailed: Request for Docket Sheet from Siavosh Henareh mailed on 7/11/2017. (sbr) (Entered: 07/11/2017)
07/17/2017		Pro Se Payment of Fee Processed: \$51.51 Check processed by the Finance Department on 7/17/2017, Receipt Number 465401185723. (aa) (Entered: 07/20/2017)
08/14/2017		Pro Se Payment of Fee Processed: \$30.00 Check processed by the Finance Department on 08/14/2017, Receipt Number 465401187626. (jkr) (Entered: 08/14/2017)
09/26/2017	<u>20</u>	STATUS CONFERENCE ORDER: ORDERED to appear for a STATUS CONFERENCE, to be held on Wednesday, October 11, 2017 at 12:00 p.m., in Courtroom 11C, in front of the Honorable Ronald L. Ellis at 500 Pearl Street, New York, New York 10007; and as further set forth herein. SO ORDERED. (Status Conference set for 10/11/2017 at 12:00 PM in Courtroom 11C, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Ronald L. Ellis.) (Signed by Magistrate Judge Ronald L. Ellis on 9/26/2017) (anc) (Entered: 09/26/2017)
10/10/2017	<u>21</u>	NOTICE OF APPEARANCE by Bernard Alan Seidler on behalf of Siavosh Henareh. (Seidler, Bernard) (Entered: 10/10/2017)

10/10/2017		Set/Reset Hearings: Status Conference set for 10/31/2017 at 2:30 PM in Courtroom 11C, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Ronald L. Ellis. No request for adjournment will be considered unless made at least THREE BUSINESS DAYS before the scheduled conference and only after the parties have consulted with each other. Direct inquiries to Rupa Shah, 212-805-0242. (rsh) (Entered: 10/10/2017)
10/11/2017	<u>22</u>	LETTER addressed to Magistrate Judge Ronald L. Ellis from Saivosh Henareh, dated 10/4/17 re: (RESCHEDULING OF STATUS CONFERENCE) – Plaintiff also requests that the Court appoint counsel for him/her. Document filed by Siavosh Henareh.(sc) (Entered: 10/17/2017)
10/18/2017	<u>23</u>	ORDER: On October 4, 2017, Plaintiff Siavosh Henareh ("Henareh") asked the Court to appoint counsel for him. (Doc. No. 22.) Subsequent to his letter, attorney Bernard Alan Seidler filed a notice of appearance on behalf of Henareh on October 10, 2017. (Doc. No. 21.) IT IS HEREBY ORDERED THAT Henareh's motion is DENIED as moot. (Signed by Magistrate Judge Ronald L. Ellis on 10/18/2017) (ap) Modified on 11/22/2017 (ap). (Entered: 10/18/2017)
11/15/2017		Pro Se Payment of Fee Processed: \$48.00 Check processed by the Finance Department on 11/15/2017, Receipt Number 465401195088. (aa) (Entered: 12/27/2017)
12/04/2017		NOTICE OF REDESIGNATION TO ANOTHER MAGISTRATE JUDGE. The above entitled action has been redesignated to Magistrate Judge Stewart D. Aaron. Please note that this is a reassignment of the designation only. (tro) (Entered: 12/04/2017)
12/04/2017		NOTICE OF REASSIGNMENT OF A REFERRAL TO ANOTHER MAGISTRATE JUDGE. The referral in the above entitled action has been reassigned to Magistrate Judge Stewart D. Aaron, for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Magistrate Judge Ronald L. Ellis no longer referred to the case. (tro) (Entered: 12/04/2017)
12/04/2017	<u>24</u>	LETTER MOTION to Continue addressed to Magistrate Judge Stewart D. Aaron from Alan Seidler dated 12-4-2017., LETTER MOTION for Extension of Time addressed to Magistrate Judge Stewart D. Aaron from Alan Seidler dated 12-4-2017. Document filed by Siavosh Henareh.(Seidler, Bernard) (Entered: 12/04/2017)
12/04/2017	25	ORDER granting <u>24</u> Letter Motion to Continue; relief granting <u>24</u> Letter Motion for Extension of Time. (HEREBY ORDERED by Magistrate Judge Stewart D. Aaron)(Text Only Order) (Aaron, Stewart) (Entered: 12/04/2017)
02/06/2018	<u>26</u>	STATUS REPORT. Document filed by Siavosh Henareh.(Seidler, Bernard) (Entered: 02/06/2018)
02/08/2018	<u>27</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Lauren Almquist Lively dated February 8, 2018 re: Plaintiff's Request for Extension. Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States.(Lively, Lauren) (Entered: 02/08/2018)
02/09/2018	<u>28</u>	MEMO ENDORSEMENT: on re: <u>27</u> Letter filed by Executive Office United States Attorneys, The Federal Bureau of Prisons, The United States, The Drug Administration Agency. ENDORSEMENT: A conference to discuss the issues raised in the parties' letters (ECF Nos. 26 and 27) will be held on February 15, 2018 at 10:00 a.m. in Courtroom 11C, in conjunction with the conference for action 14-cv-7145. SO ORDERED., (Status Conference set for 2/15/2018 at 10:00 AM in Courtroom 11C, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Stewart D. Aaron.) (Signed by Magistrate Judge Stewart D. Aaron on 2/09/2018) (ama) Modified on 2/9/2018 (ama). (Entered: 02/09/2018)
02/14/2018		Pro Se Payment of Fee Processed:\$23.60 Check processed by the Finance Department on 02/14/2018, Receipt Number 465401202134. (jvs) (Entered: 02/14/2018)
02/15/2018		Minute Entry for proceedings held before Magistrate Judge Stewart D. Aaron: Status Conference held on 2/15/2018. (kl) (Entered: 02/15/2018)
02/15/2018	<u>29</u>	MEMO ENDORSEMENT on re: <u>26</u> STATUS REPORT. Document filed by Siavosh Henareh. ENDORSEMENT: A conference having been held today, the application for a Writ is DENIED. So ordered. (Signed by Magistrate Judge Stewart D. Aaron on

		2/15/2018) (rjm) (Entered: 02/15/2018)
02/15/2018	<u>30</u>	ORDER. Following a status conference on February 15, 2018 in the above-captioned action and the related case of Henareh v. United States of America, 14-cv-07145 (JSR) (SDA), it is hereby Ordered that: 1. No later than March 19, 2018 the parties shall submit a joint letter regarding the status of settlement discussions. 2. If the parties have not resolved the matter prior to March 19, 2018, the joint letter shall include a proposed briefing schedule regarding Defendants' anticipated partial Motion for Summary Judgment. The Government shall also submit, on the same date, a proposed schedule for responding to Plaintiff's FOIA claims that are not susceptible to summary disposition. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 2/15/2018) (rjm) (Entered: 02/15/2018)
02/15/2018	<u>36</u>	ORDER. Following a status conference on February 15, 2018 in the above-captioned action and the related case of Henareh v. United States of America et al., 17-cv-00630 (JSR) (SDA), it is hereby Ordered that: 1. No later than March 19, 2018, the Government shall respond to Plaintiff's Motion to Inspect Grand Jury Minutes (ECF No. 19). Plaintiff shall file his reply, if any, no later than April 2, 2018. 2. No later than March 19, 2018, the Government shall respond to Plaintiff's Motion for Compassionate Release (ECF No. 29). Plaintiff shall file his reply, if any, no later than April 2, 2018. 3. No later than March 19, 2018 both parties shall submit supplemental briefing regarding Plaintiff's Motion for a Reduction in Sentence, as set forth in his Habeas Petition (ECF No. 1). In particular, the parties shall address whether Amendment 782 to the Sentencing Guidelines would result in a lower sentence for Plaintiff than the one imposed. So ordered. (Signed by Magistrate Judge Stewart D. Aaron on 2/15/2018) Entered as doc. no. 34 in case no. 14cv7145. (rjm) (Entered: 04/16/2018)
03/12/2018		Pro Se Payment of Fee Processed:\$25.64 Check processed by the Finance Department on 03/12/2018, Receipt Number 465401203987. (jvs) (Entered: 03/12/2018)
03/12/2018		Pro Se Payment of Fee Processed: \$20.00 Check processed by the Finance Department on 10/20/2017, Receipt Number 465401193407. (jkr) (Entered: 03/12/2018)
03/12/2018		Pro Se Payment of Fee Processed: \$20.00 Check processed by the Finance Department on 01/10/2018, Receipt Number 46540119389. (jkr) (Entered: 03/12/2018)
03/13/2018	<u>31</u>	ORDER. It is hereby ordered that no additional fees shall be deducted from Henareh's prison account for this purpose. It is further ordered that the Clerk of Court shall refund the excess payments deducted from Henareh's account which total \$238.75. The Clerk of Court is directed to send a copy of this Order to the agency having custody of Plaintiff. The Clerk of Court is also directed to send a copy of this Order to Plaintiff and note service on the docket. SO ORDERED. (Signed by Judge Jed S. Rakoff on 3/13/18) (yv) (Entered: 03/13/2018)
03/13/2018		Transmission to Docket Assistant Clerk. Transmitted re: <u>31</u> Order, to the Docket Assistant Clerk for case processing. (yv) (Entered: 05/14/2018)
03/19/2018	<u>32</u>	JOINT LETTER MOTION for Extension of Time <i>to Propose Schedule</i> addressed to Magistrate Judge Stewart D. Aaron from Lauren Almquist Lively dated March 19, 2018. Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States.(Lively, Lauren) (Entered: 03/19/2018)
03/19/2018	<u>33</u>	ORDER: granting <u>32</u> Letter Motion for Extension of Time. Application GRANTED. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 3/19/2018) (ama) (Entered: 03/19/2018)
03/26/2018		CASHIERS OFFICE REGISTRY DISBURSEMENT as per <u>31</u> Order,, dated 3/13/2018, from Judge Jed S. Rakoff, on 3/23/2018 disbursed to pay Federal Bureau of Prisons \$238.75 Check No. 01900966 dated 3/23/2018 (cla) (Entered: 03/26/2018)
04/02/2018	<u>34</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Lauren Almquist Lively dated April 2, 2018 re: Proposed Schedule. Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States.(Lively, Lauren) (Entered: 04/02/2018)

04/02/2018	<u>35</u>	MEMO ENDORSEMENT: on re: <u>34</u> Letter, filed by Executive Office United States Attorneys, The Federal Bureau of Prisons, The United States, The Drug Administration Agency. ENDORSEMENT: Application GRANTED. (Signed by Magistrate Judge Stewart D. Aaron on 4/2/2018) (ap) (Entered: 04/02/2018)
05/11/2018	<u>37</u>	ORDER: No later than May 18, 2018, the parties shall submit a letter regarding the status of this action, including the Government's response to Plaintiff's remaining FOIA claims; whether Defendants still anticipate filing a Motion for Summary Judgment and, if so, a proposed briefing schedule for such motion. (Signed by Magistrate Judge Stewart D. Aaron on 5/11/2018) (rro) (Entered: 05/11/2018)
05/14/2018		Mailed a copy of <u>31</u> Order to Siavosh Henareh, No. 65976-054, United States Penitentiary, 3901 Klein Blvd.Lompoc, CA 93436. (mhe) (Entered: 05/14/2018)
05/18/2018	<u>38</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Lauren Almquist Lively dated May 18, 2018 re: Status Letter and Proposed Briefing Schedule. Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States.(Lively, Lauren) (Entered: 05/18/2018)
05/18/2018	<u>39</u>	MEMO ENDORSEMENT on re: <u>38</u> Letter, filed by Executive Office United States Attorneys, The Federal Bureau of Prisons, The United States, The Drug Administration Agency. ENDORSEMENT: Request GRANTED. SO ORDERED. (Cross Motions due by 8/16/2018., Motions due by 7/17/2018., Responses due by 9/6/2018, Replies due by 9/20/2018.) (Signed by Magistrate Judge Stewart D. Aaron on 5/18/2018) (kl) (Entered: 05/18/2018)
07/09/2018	<u>40</u>	CONSENT LETTER MOTION for Extension of Time <i>to move for summary judgment</i> addressed to Magistrate Judge Stewart D. Aaron from Peter Aronoff dated 7/9/2018. Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States.(Aronoff, Peter) (Entered: 07/09/2018)
07/10/2018	<u>41</u>	ORDER granting <u>40</u> Letter Motion for Extension of Time. ENDORSEMENT: Application GRANTED. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 7/10/2018) (kl) (Entered: 07/10/2018)
07/10/2018		Set/Reset Deadlines: Cross Motions due by 9/14/2018. Motions due by 8/7/2018. Responses due by 9/28/2018 Replies due by 10/12/2018. (kl) (Entered: 07/10/2018)
08/06/2018	<u>42</u>	JOINT LETTER addressed to Magistrate Judge Stewart D. Aaron from Peter Aronoff dated 8/6/2018 re: requesting the Court endorse this letter to effectuate the parties' agreements modifying the FOIA requests in advance of summary judgment motions. Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States.(Aronoff, Peter) (Entered: 08/06/2018)
08/06/2018	<u>43</u>	AMENDED ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Dispositive Motion (i.e., motion requiring a Report and Recommendation). Referred to Magistrate Judge Stewart D. Aaron. (Signed by Judge Jed S. Rakoff on 8/6/2018) (jwh) (Entered: 08/06/2018)
08/06/2018	<u>44</u>	MEMO ENDORSEMENT on re: <u>42</u> Letter. ENDORSEMENT: SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 8/6/2018) (jwh) (Entered: 08/06/2018)
08/07/2018	<u>45</u>	MOTION for Summary Judgment . Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States.(Aronoff, Peter) (Entered: 08/07/2018)
08/07/2018	<u>46</u>	DECLARATION of Kelleigh A. Miller in Support re: <u>45</u> MOTION for Summary Judgment .. Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States. (Attachments: # <u>1</u> FOIA request (Sept. 1, 2016), # <u>2</u> DEA response letter (Sept. 20, 2016), # <u>3</u> OIP appeal denial (Nov. 22, 2016), # <u>4</u> DEA modified response (Oct. 3, 2017), # <u>5</u> DEA response letter (Jan. 19, 2017), # <u>6</u> DEA fee waiver denial (Mar. 14, 2018), # <u>7</u> EOUSA response letter (Dec. 1, 2017), # <u>8</u> EOUSA referral to DEA (Apr.

		10, 2018), # <u>2</u> DEA response letter (May 7, 2018))(Aronoff, Peter) (Entered: 08/07/2018)
08/07/2018	<u>47</u>	MEMORANDUM OF LAW in Support re: <u>45</u> MOTION for Summary Judgment . . Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States. (Aronoff, Peter) (Entered: 08/07/2018)
09/10/2018	<u>48</u>	CROSS MOTION for Summary Judgment <i>and Opposition to Motion</i> . Document filed by Siavosh Henareh.(Seidler, Bernard) (Entered: 09/10/2018)
09/10/2018	<u>49</u>	DECLARATION of B. Alan Seidler in Support re: <u>48</u> CROSS MOTION for Summary Judgment <i>and Opposition to Motion</i> .. Document filed by Siavosh Henareh. (Attachments: # <u>1</u> Exhibit DEA 6)(Seidler, Bernard) (Entered: 09/10/2018)
09/28/2018	<u>50</u>	REPLY MEMORANDUM OF LAW in Support re: <u>45</u> MOTION for Summary Judgment . <i>and in opposition to plaintiff's cross motion</i> . Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States. (Aronoff, Peter) (Entered: 09/28/2018)
12/05/2018	<u>51</u>	REPORT AND RECOMMENDATIONS re: <u>48</u> CROSS MOTION for Summary Judgment <i>and Opposition to Motion</i> . filed by Siavosh Henareh, <u>45</u> MOTION for Summary Judgment . filed by Executive Office United States Attorneys, The Federal Bureau of Prisons, The United States, The Drug Administration Agency. For the foregoing reasons, I recommend that the Government's motion for summary judgment be GRANTED and Henareh's cross-motion be DENIED. Objections to R&R due by 12/19/2018 (Signed by Magistrate Judge Stewart D. Aaron on 12/6/2018) (js) (Entered: 12/06/2018)
12/18/2018	<u>52</u>	OBJECTION to <u>51</u> Report and Recommendations Document filed by Siavosh Henareh. (Seidler, Bernard) (Entered: 12/18/2018)
12/27/2018	<u>54</u>	STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) SO ORDERED. (Signed by Judge Colleen McMahon on 12/27/2018) (ama) (Entered: 01/03/2019)
12/27/2018		Case Stayed (ama) (Entered: 01/14/2019)
12/28/2018	<u>53</u>	RESPONSE re: <u>52</u> Objection to Report and Recommendations . Document filed by Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States. (Aronoff, Peter) (Entered: 12/28/2018)
01/25/2019	<u>55</u>	ORDER adopting <u>51</u> Report and Recommendations re: <u>48</u> Motion for Summary Judgment; <u>45</u> Motion for Summary Judgment: On December 5, 2018, the Honorable Stewart D. Aaron, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter, recommending that the Court grant the Government's motion for summary judgment and deny plaintiff Siavosh Henareh's cross-motion for summary judgment. See Dkt. 51. Henareh subsequently submitted objections to certain portions of the Report and Recommendation, see Dkt. 52, which the Government responded to in a memorandum filed on December 28, 2018. See Dkt. 53. The Court has reviewed the objections and the underlying record de novo. Having done so, the Court finds itself in complete agreement with Magistrate Judge Aaron's excellent Report and Recommendation and hereby adopts its reasoning by reference. Accordingly, the Court grants the Government's motion for summary judgment and denies Henareh's cross-motion for summary judgment. The Clerk is instructed to enter judgment. (Signed by Judge Jed S. Rakoff on 1/24/2019) (jwh) Transmission to Orders and Judgments Clerk for processing. (Entered: 01/25/2019)
01/28/2019	<u>56</u>	CLERK'S JUDGMENT re: <u>55</u> Order Adopting Report and Recommendations in favor of Executive Office United States Attorneys, The Drug Administration Agency, The Federal Bureau of Prisons, The United States against Siavosh Henareh. It is hereby ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order dated January 25, 2019, the Court finds itself in complete agreement with Magistrate Judge Aaron's excellent Report and Recommendation and hereby adopts its reasoning by reference. Accordingly, the Government's motion for summary judgment is granted and Henareh's cross-motion for summary judgment is denied. (Signed by

		Clerk of Court Ruby Krajick on 1/28/2019) (Attachments: # <u>1</u> Right to Appeal)(km) (Entered: 01/28/2019)
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